

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA (Small Business Administration) now, Beal Service Corporation, servicing agent for LPP Mortgage, LTD Plaintiff Vs. RUBEN HERNANDEZ CASUL, VIRGINIA HERNANDEZ DE LEON, and the LEGAL CONJUGAL PARTNERSHIP constituted by both, d/b/a Ebanistería Rubén Defendants	CIVIL NO 98-1791 (PG) Collection of Monies and Ordinary Foreclosure of Mortgage Note
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WRIT OF EXECUTION

TO THE UNITED STATES MARSHAL
OR SPECIAL MASTER:

The Honorable United States District Judge has issued an Order in this case, which reads literally as follows:

" ORDER OF EXECUTION

Upon motion filed by Plaintiff herein for the execution of the judgment entered by this Court on September 16, 1998 and it appearing from the records of this Court and from Plaintiffs motion that the Defendants failed to pay to the Plaintiff the sums of money adjudged to be paid under the said judgment;

IT IS HEREBY ORDERED that the United States Marshal or Special Master appointed by the Court proceed forthwith to sell in cash at public auction to the highest bidder, the property referred to in the judgment and described on the complaint, in the manner and form provided in said judgment and as herein further provided:

a) According to 28 USC 2001(a) said public sale shall be held at the Humacao Judicial Center.

(b) Notices of sale shall be published by the United States Marshal or Special Master once a week for in two consecutive weeks prior to the date of the sale in a newspaper printed regularly arid having a general circulation in the island of Puerto Rico. Additionally, said notice shall be visibly placed in three public places in the municipality where the sale will be held such as city hall, the courthouse and the post office. Said notice shall also be placed at the tax collectors office of the defendants place of residency, if known. Since the defendant did not appear in the case, copy of the Notice of Sale will be sent, pursuant to Rule 51.8 of the Puerto Rico Rules of Civil Procedure, by certified mail, to his last known address.

(c) The United States Marshal or Special Master at the sale shall not accept in payment of the property to be sold anything but United States currency or certified checks, except in case the property be sold and adjudicated to the Plaintiff, in which case the amount of the bid made by Plaintiff shall be credited and deducted from its mortgage credit; the Plaintiff being bound to pay in cash or certified check only any excess of its bid over the secured indebtedness then remaining unsatisfied.

(d) The United States Marshal or Special Master may, either personally or by some person designated by him to act in his name and by his authority, adjourn the sale from time to time without further publication.

(e) The minimum bid that will be accepted at the FIRST public sale is the sum of \$225,000.00. In the event said first public auction does not produce a bidder and the property is not adjudicated, a SECOND public auction shall be held and the minimum bid that will be accepted is the sum of \$149,850.00. If said second auction does not result in the adjudication and sale of the property, a THIRD and final auction will be held and the

minimum bid that will be accepted is the sum of \$112,500.00. Upon confirmation of the sale, an order shall be issued canceling all junior liens.

(f) Upon the confirmation of the sale by this Court, the United States Marshal or Special Master shall execute and deliver a deed of conveyance of the property sold to the purchaser thereof and an order shall be issued canceling all junior liens. For further particulars, reference is made to the judgment entered by the Court in this case, which can be examined in the Office of the Clerk of the United States District Court.

(g) The Court appoints Carlos Aguilar Aguilar, Esq., PO Box 193600, San Juan PR 00919-3600, telephone (787) 645-7852, as Special Master.

SO ORDERED.

In San Juan, Puerto Rico, this 19th day of December , 2006.

Juan M. Perez Gimenez
(Signed: UNITED STATES DISTRICT JUDGE). "

WHEREFORE, you as the U.S. Marshal for this District or you as appointed Special Master, are hereby ordered to proceed by virtue of this Writ of Execution and in compliance with the Order copied above, to sell the property of the defendant hereinabove stated in order to execute the judgment that was entered against the defendant in this case upon the terms above stated.

In San Juan, Puerto Rico, this 26th day of December 2006.

Frances Rios de Moran
CLERK
UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

By: Deedra Gutierrez
Deputy Clerk